PATENT

AF

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES
Honeywell Docket No. H25311
(MBHB No. 06-605)

In re the Application of:

Cunningham et al.

Serial No.: 09/460,197

Filed: December 13, 1999

For: Multiple and Hybrid Display Types

Group Art Unit: 2629

Examiner: Kevin M. Nguyen

Confirmation No. 2142

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

TRANSMITTAL LETTER

In regard to the above identified application:

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   a. Transmittal Letter (in duplicate);
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   c. Honeywell and MBHB Return Receipt Postcards.

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Respectfully submitted,

Date: April 2, 2007

By: _____
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REPLY BRIEF

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I. Introduction

This Reply Brief addresses the specific arguments made in the Examiner's Answer (mailed February 1, 2007) to Appellant's Thrice-Amended Second Supplemental Appeal Brief ("Applicants' Appeal Brief"). Applicants respectfully submit that the Examiner's Answer does not sufficiently rebut Applicants' arguments explaining why the present rejections are improper.

II. Argument

The Examiner erred in rejecting claims 33-36, 38-46, and 48-52 as being obvious over the combination of Stoddard and Cook, because the combination of Stoddard and Cook fails to disclose each and every element of independent claims 33, 38, 43, and 48.

1. The combination of Stoddard and Cook fails to disclose "driving a plurality of displays of different types . . ., said plurality of displays comprising stroke displays, raster displays, and hybrid displays, wherein the hybrid displays comprise stroke and raster displays . . . ."

Contrary to the Examiner's assertion in the Examiner's Answer, Stoddard fails to disclose "driving a plurality of displays of different types . . . , said plurality of displays comprising stroke displays, raster displays, and hybrid displays, wherein the hybrid displays comprise stroke and raster displays . . . ." Further, Cook fails to make up for this deficiency in Stoddard.

Regarding Stoddard, in the Examiner's Answer, the Examiner incorrectly contended that "Stoddard et al. teaches a single display generator which drives stroke display, raster display such as graphic or video data, and hybrid display comprising the stroke display and graphic display . . . ." Examiner's Answer, pg. 7. Specifically, the Examiner mistakenly asserted that the graphic or video images disclosed in Stoddard are equivalent to raster displays. This assertion is simply not correct, and Stoddard itself even refutes this interpretation.

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Stoddard refutes this interpretation for two reasons. First, Stoddard specifically indicates that the video images relate to radar or television sources. Stoddard, col. 1, lines 9-11; col. 4, lines 57-63. Stoddard fails to disclose that video images are equivalent to raster scan writing techniques. *See, e.g., id.* at col. 4, lines 57-63. Second, Stoddard implicitly differentiates between the video images and raster scan writing techniques. In particular, Stoddard discloses that cursive writing techniques (i.e. symbols, or stroke displays) may be mixed with the video images. *Id.* at col. 4, lines 59-64. Stoddard also discloses that, rather than using cursive writing techniques, raster scan writing techniques may be used. *Id.* at col. 10, lines 46-50. By inference, if cursive writing techniques may be mixed with the video images, and if raster scan writing techniques may be used instead of cursive writing techniques, then raster scan writing techniques may be mixed with the video images as well. As a corollary to this inference, if raster scan writing techniques may be mixed with video images (i.e. radar or television sources), then it is hard to imagine how raster scan writing techniques are equivalent to the video images disclosed in Stoddard.

Moreover, Stoddard does not disclose, or even imply, that cursive writing techniques may be combined with the raster scan writing techniques. At best, Stoddard discloses that cursive writing techniques may be mixed with video images (*id.* at col. 4, lines 59-64), and implies that raster scan writing techniques may be mixed with the video images as well. *Id.* at col, 10, lines 46-50. However, Stoddard fails to disclose combining cursive writing techniques with the raster scan writing techniques. As such, Stoddard fails to disclose "driving a plurality of displays of different types . . . , said plurality of displays comprising stroke displays, raster displays, and hybrid displays, wherein the hybrid displays comprise stroke and raster displays . . . ."

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Further, Cook fails to make up for this deficiency in Stoddard. As explained in Section 7a of Applicants' Appeal Brief, Cook is limited to raster displays, only. There is no mention or implication of using the device of Cook to drive stroke displays or hybrid displays as specifically claimed in the independent claims at issue.

Hence, the combination of Stoddard and Cook fails to disclose "driving a plurality of displays of different types . . . , said plurality of displays comprising stroke displays, raster displays, and hybrid displays, wherein the hybrid displays comprise stroke and raster displays . . . ."

2. The combination of Stoddard and Cook fails to disclose "a single display routine"

Further, Stoddard fails to disclose "a single display routine" for driving a plurality of displays of different types, and Cook fails to make up for this deficiency. Regarding Stoddard, in the Examiner's Answer, the Examiner argued that a single display generator is the functional equivalent to "a single display routine." Examiner's Answer, pg. 7. However, this assertion is simply incorrect. Stoddard does not disclose the single display generator driving a plurality of displays of different types. At best, Stoddard discloses the single display generator utilizing a single type of display (i.e., a stroke display ***or*** a raster display, but not both) at varying speeds.

According to Stoddard, the single display generator may employ a variety of writing speeds, each writing speed being applicable for a specific application. *See, e.g.*, Stoddard, col. 1, lines 30-55; col. 2, lines 57-61. For instance, a faster writing speed may be used when an application requires large amounts of data to be presented at a given time, while a slower writing speed may be employed when an application requires smaller amounts of data to be presented at a given time. *Id.* Hence, rather than a display system requiring separate display generators for

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varying applications, the display system may employ the single display generator to accommodate a variety applications that require various writing speeds.

Although a single display generator may employ a variety of writing speeds, each of the writing speeds employed by the single display generator are still used for a single type of display. For instance, Stoddard discloses that varying writing speeds may be employed for stroke displays. *Id.* at col. 5, lines 5-70. Alternatively, rather than stroke displays (i.e. cursive writing techniques), varying writing speeds may be employed for raster displays as well. *Id.* at col. 10, lines 46-50. However, Stoddard does not disclose, nor even imply, that the single display generator employs both stroke displays and raster displays together. Hence, Stoddard fails to disclose "a single display routine" for driving a plurality of displays of different types.

Further, Cook fails to make up for this deficiency in Stoddard. In the Examiner's Answer, the Examiner asserted for a second time that Cook teaches "a graphics adapter interface (GAI) 700 (fig. 4) linking a specific code 661-683 (linking generated code, fig. 4) from a 3-D graphics GL application (formats 605, fig. 4) to a 3-D application programming interface (API) (620) (graphics library, GL) (fig. 4). The graphics library GL defined a single display routine as claimed." However, the Examiner failed to rebut, let alone even address, the issues raised by the Applicants in the Applicants' Appeal Brief. Rather, the Examiner echoed the same unsupported assertions of what Cook allegedly discloses.

As explained in Section 7a of Applicants' Appeal Brief, Cook fails to disclose a "single display routine." Cook teaches an apparatus for interfacing between a plurality of application programs and at least one display adapter having functions supporting a display. Cook does not have anything to do with the use of a "single display routine," nor does it discuss the ability to

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drive multiple displays of different types. In fact, Cook specifically states: "The adapter interface layer includes three sets of codes **710**, **720** and **730**, each set being written for utilizing a particular display adapter. Each of these sets of code, herein referred to as routines, includes pieces of code, macros, subroutines and/or programs for utilizing the respective display adapters **770**, **780**, **790**." Cook, col. 3, line 67 – col. 4, line 5. This section specifically indicates that a separate display routine is required for each display. It is difficult to imagine how Cook can be used to reject the Applicants' independent claim feature of a "single display routine" for driving a plurality of displays of different types, which is specifically claimed in independent claims 33, 38, 43, and 48. Cook appears to be teaching exactly the opposite operation of the claimed feature of the present patent application at issue, i.e. using a separate display routine for each specific display.

Hence, the combination of Stoddard and Cook fails to disclose "a single display routine" for driving a plurality of displays of different types.

3. The combination of Stoddard and Cook fails to disclose "linking generated code from said formats to a standard graphics library."

Furthermore, the combination of Stoddard and Cook fails to disclose "linking generated code from said formats to a standard graphics library." In the Examiner's answer, the Examiner acknowledged that Stoddard fails to disclose "linking generated code from said formats to a standard graphics library." Applicants agree with the Examiner's observation, and further submit that Cook fails to make up for this deficiency in Stoddard.

Cook fails to disclose "linking generated code from said formats to a standard graphics library." In fact, Cook teaches away from such an element. Rather than linking generated code, Cook specifically states: "The adapter interface layer includes three sets of codes **710**, **720** and

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730, each set being written for utilizing a particular display adapter. Each of these sets of code, herein referred to as routines, includes pieces of code, macros, subroutines and/or programs for utilizing the respective display adapters **770**, **780**, **790**." Cook, col. 3, line 67 – col. 4, line 5. Hence, rather than linking the generated code, each set of code is utilized for separate display adapters. As such, Cook fails to disclose "linking generated code from said formats to a standard graphics library." Hence, the combination of Stoddard and Cook fails to disclose "linking generated code from said formats to a standard graphics library."

Given that the combination of Stoddard and Cook fail to disclose each and every element of independent claims 33, 38, 43, and 48, the Examiner has failed to make a *prima facie* case of obviousness of these claims. Accordingly, Applicants respectfully submit that the Examiner's rejections of claims 33, 38, 43, and 48 are improper and should be reversed. Further, as each of the dependent claims 34-36, 39-42, 44-46, and 49-52 depend from and incorporate all the limitations from at least one of independent claims 33, 38, 43, and 48, each the dependent claims 34-36, 39-42, 44-46, and 49-52 are allowable for at least the reason that each one depends from an allowable independent claim.

III. Conclusion

Applicants have demonstrated that the rejections of claims 33-36, 38-46, and 48-52 are in error as a matter of law. Applicants therefore request reversal of the rejections and allowance of all pending claims in this application.

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